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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,**

Plaintiff,

v.

**DAVID LEE STONE and
JOHN D. ROBSON,**

Defendants,

and

**HAROLD J. STONE,
GWENDOLYN STONE,
JUSTIN BLAKESLEY, and
BRETT R. ADAMS,**

Relief Defendants.

22 Civ. 3553 (VM)

MOTION TO WITHDRAW

Nicholas Heinke, as attorney for Plaintiff United States Securities and Exchange Commission (“SEC”), respectfully requests to withdraw in above-captioned case:

1. Mr. Heinke has changed positions at the SEC and is no longer a trial attorney.
2. Attorney Christopher Martin remains as counsel for the SEC. In addition, attorney Ian Kellogg is applying to represent the SEC in this matter as a government attorney.

3. No parties will be prejudiced by the request herein and there will be no delay caused.

WHEREFORE, Plaintiff requests that attorney Nicholas Heinke be allowed to withdraw as attorney of record in this case. A proposed Order is included herewith.

Dated: February 8, 2023.

Respectfully submitted,

s/ Nicholas P. Heinke
Frank D. Goldman (FG9921)
Nicholas P. Heinke (*pro hac vice*)
Christopher E. Martin (*pro hac vice*)
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CERTIFICATE OF SERVICE

I hereby certify that on February 8, 2023, I caused the foregoing to be electronically filed by using the CM/ECF system.

s/ Nicholas Heinke

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**[PROPOSED] ORDER GRANTING
MOTION TO WITHDRAW**

The Court has considered the Motion filed by Plaintiff the United States Securities and Exchange Commission (“SEC”), an agency of the United States, for permission to allow the withdrawal of attorney Nicholas Heinke from the case.

IT IS HEREBY ORDERED that the motion is granted. Mr. Heinke is hereby withdrawn as counsel for the SEC in this matter.

Dated: _____

BY THE COURT

United States District Judge